



MEETING OF THE
POLICE STANDARDS ADVISORY COUNCIL
September 16, 2015

I. CALL TO ORDER

Chairman Timothy Larby called the regular monthly meeting of the Police Standards Advisory Council, hereinafter P.S.A.C., to order at 9:02 A.M.

As amended by LB 898, 2006 Legislature, a current copy of the *Nebraska Open Meetings Act* was available for public review and reference. Notice of the meeting was published in the Lincoln Journal Star on September 11, 2015.

Members in attendance: Chief Timothy Larby, Sheriff Larry Koranda (arrived at 9:05 AM), Mr. Matthew McCarthy, Lieutenant Colonel Thomas Schwarten, and Sheriff Jerry Watson. Chief Robert Lausten and Captain Genelle Moore were unable to attend. Crime Commission and N.L.E.T.C. staff present: Darrell Fisher, David Stolz, William Muldoon, Brenda Urbanek and Kay Fielding. Others present: Captain Mark Williams and Lieutenant Jeff Roby, Nebraska State Patrol; Chief Isaac Brown, Officer Colin Rogers, McCook Police Department and Sheriff Jonathan Heflin, Logan County Sheriff's Office.

II. APPROVAL OF AUGUST 19, 2015 P.S.A.C. MINUTES

MOTION

Sheriff Watson motioned to approve the minutes as presented. Lieutenant Colonel Schwarten seconded the motion. **Voting in Favor:** Chief Larby, Matthew McCarthy, Lieutenant Colonel Schwarten, and Sheriff Watson. The motion passed unanimously.

III. ACADEMY REPORTS

A. Director – N.L.E.T.C.

Mr. Muldoon discussed the continuing education audit process.

September 9th Lincoln Police Department spearheaded a Blue Courage FTO Session for 43 Omaha, Lincoln & NSP students.

B. Deputy Director of Training – N.L.E.T.C.

Ms. Urbanek reported graduation for the 38 students of the 191st Basic Training Session would be Friday, September 25th at 11:00 A.M.

On September 3rd we co hosted Winning Mindset for Women put on by the Calibre Press and Police One for 50 students. It was held at the Omaha Police Department and paid for through our grant; it was very well received and attended.

C. Nebraska State Patrol

Captain Williams reported since the August meeting our application selection process ended with 303 total applicants on September 8th. HR begun the TABE Testing and the Training Academy staff provided an hour presentation to the applicants giving them an idea of what they will be getting into should they be successful.

September 9th Sergeant Paro held a 2nd CPR/First Aid Class for Instructors so they could go back into the field and complete instruction to troop personnel.

September 9th Trooper Johansen attended the one-day Blue Courage Course in Lincoln.

September 9-11 Trooper Hagen attended a three-day Master Instructor Firearms Development Course.

September 2nd we got everybody on our staff FIT tested.

Every member of the Training Academy staff, including the civilian staff, worked at least 3 – 4 days at the Nebraska State Fair booth.

In-Service begins October 20th.

IV. CRIME COMMISSION REPORT

Darrell Fisher followed-up on LR320, the makeup of PSAC; we had requested a meeting with the sponsor of LR320 that did not work out. We discovered it was not set for committee hearing, if it is not set for committee hearing, it doesn't really look too good for the next legislative session and if it doesn't get through the next legislative session, it's done.

The Jag Grants were reviewed, and will go before the Commission this next month. VOCA Grants will be reviewed tomorrow.

Reminder the Crime Act increased from about \$2.5 million to nearly \$12 million; one-time funding as far as we know. Spread out over three years. We did get 59 grant applications so we believe we can allocate all of the money designated for Nebraska; it will be reviewed at the October Commission meeting.

Mr. Fisher passed out a graph of revocations stating Governor Ricketts was big on metrics and measures and the Commission don't really produce a product. The Governor would like to see monthly measures for each agency; you look at it on the Governor's website, the first iteration of measures is for the academy for our grants division and the IT Division and particularly for the IT Division NCJIS and the users of NCJIS; those things we can measure. We are going at this with a quality assurance issue and also to show the Governor

that the Nebraska POST is doing its job. On the handout, the blue is the carryover we started with 15 active cases in January of 2014, as you can see that number has continued to go down through the efforts of the Council, it shows the number of revoked officers as gone up. Please give me your thoughts on this. I do plan to take this to the Governor's Office for approval.

V. OLD BUSINESS

No Old Business discussed

VI. NEW BUSINESS

A. Revocation LR-109-14; Franklin J. Zimmerman

Mr. Stolz presented the respondent's consent to revocation of his law enforcement certificate and waiver of notice and hearing and asked that it be marked as Exhibit #1 and entered into evidence. Chief Larby accepted it into evidence. Mr. Stolz gave a summary of the revocation process for LR-109-14 Franklin J. Zimmerman, and asked the Council to accept his relinquishment and recommend to the Commission that his law enforcement officer certificate be revoked pending acceptance and approval by the Commission.

MOTION

Mr. McCarthy motioned; based upon the fact that the respondent has signed a consent to revocation of law enforcement of certificate and waiver of Notice and Hearing and has voluntarily surrendered his certificate, I make a motion that the Council accept the surrender of Franklin J. Zimmerman's Nebraska Law Enforcement Certificate as evidence of incompetence and neglect of duty. Said revocation to be effective upon review and acceptance of the surrender by the Nebraska Commission on Law Enforcement and Criminal Justice. Sheriff Larry Koranda seconded the motion. **Voting in favor;** Mr. McCarthy, Lieutenant Colonel Schwarten, Sheriff Watson, Chief Timothy Larby, and Sheriff Larry Koranda. The motion passed unanimously.

B. 192nd Basic Academy Admissions

Mr. Muldoon stated there were approximately 95 reservations for the 50 slots in the 192nd basic training. 30% of those that have asked for one of the 50 spots are people from one of the prior basics and were not successful for one reason or another or should have been in that one but got a waiver or didn't want to train over the summer. We are 6 weeks from beginning the next basic class and we already have 37 approved for the course so I am very confident that we will have 50 approved for the course.

Deputy Director Urbanek has come to me realizing 50 is normally the maximum capacity for basic but just to get us through is entertaining stretching the capacity this time, which will stretch the length of the basic because if you expand the number of students you expand the splits from 2 to 3. Our instructors are cross trained and able to instruct in more than one plan but we will need more outside instructor assistance. I will be sending letters in advance of accepting their four people into training stating these are the four weeks of skills training, we do need and will expect a firearms and EVO instructor to come assist upon acceptance of their four students into training.

A couple of agencies hire trainees and upon certification they are worked as jailers. Should they have the same priority on our list as somebody who will be working the street? What I would like to ask them is, if you are short a road patrol deputy I would be more than happy to do this but to train jailers that are going back in the jail, can you give us a break this time around and send them in a basic down the road that might not be full.

Deputy Director Urbanek stated there was not enough facility, if we are at 60 we had to split our firearms grouping which added 4 days, the next basic has 7 holidays, which puts trying to cram 16 weeks of training into actual 15 weeks of daytime. For every 5 students that you add it takes us an hour on every skill that we do so on the first week when we do a stress inoculation we put them through Simunitions and a Milo Simulator and a defensive tactics simulator to show them how quickly their energies are expended that just took two more hours to get it done. So while you say on paper you have 64 hours of firearms you may only have 6 hours of trigger time.

To do this class of 60 we are going to have to increase the length of our basic even more than a week, if we do not get the outside help because it is going to take us that long to get people through. We did cancel an EVOC Instructor Course and an Active Shooter Course, we still have Supervision and we are doing two days of in-house active shooter as a staff.

Sheriff Watson stated he would prefer a phone call explaining what is going on rather than a form letter that may get set aside. If I talk to you and you explain what is going on, I think you will get more compliance and help.

C. Waiver of One-Year Basic Training Requirement
Colin Rogers, McCook Police Department

Chief Isaac Brown of the McCook Police Department addressed the Council and requested a waiver of the one-year basic training requirement for Officer Colin Rogers stating he was enrolled in the 190th basic training session and injured his knee during the entrance physical testing which prevented him from continuing training. He was hired January 1, 2015, and with the class not beginning in October and not finishing until February 2016 he will be beyond his one year of employment. He has done well with the agency in-service training and is physically able to return to training now and has all his medical releases for training. At the time that would extend past the year would simply be the time he would be in school so he would not be working on the street or working as an officer. We would appreciate your consideration in allowing him to complete his training and come back to us ready to go.

MOTION

Sheriff Watson motion to grant the waiver Lieutenant Colonel Schwarten seconded the motion.
Voting in favor: Lieutenant Colonel Schwarten, Sheriff Watson, Chief Larby, Sheriff Koranda, and Mr. McCarthy. The motion passed unanimously.

D. Waiver of One-Year Basic Training Requirement

Lucas R. Jones, Logan County Sheriff's Office

Mr. Muldoon stated Mr. Jones was hired January 5, 2015, attended the 191st basic beginning 6/8/2015 and made it through the initial assessment, however suffered an appendicitis attack the second week of training. He has a medical clearance to attend the October training session training, but it will be beyond his one year of employment. Sheriff Heflin stated he had received his medical clearance and it had been sent to the training center.

MOTION

Sheriff Koranda motioned to grant the waiver for Lucas R. Jones to attend the next basic and successfully complete and to not perform any law enforcement duties from January 5, 2016 until he successfully completes the next basic training. Mr. McCarthy seconded the motion. **Voting in favor**; Sheriff Watson, Chief Larby, Sheriff Koranda, Mr. McCarthy, and Lieutenant Colonel Schwarten. The motion passed unanimously.

Lieutenant Colonel Schwarten stepped out of the meeting at 10:08 A.M.

E. Professional Instructor Certification/Recertification

Professional Recertification

Duane Collins; Blair Police Department – N.L.E.T.C.

MOTION

Mr. McCarthy motioned to approve instruction for recertification for radar instructor for Duane Collins. Sheriff Koranda seconded the motion. Voting in favor; Chief Larby, Sheriff Koranda, Mr. McCarthy, and Sheriff Watson. Not Present – Lieutenant Colonel Schwarten.

F. N.S.P. Firearms Instructor Re-Certification Curriculum

In-Lieu-Of NLETC Firearms Instructor Re-Certification Course

Ms. Urbanek stated the Patrol conducted their own firearms instructor course, as well as, their own recertification programs. They submitted a lesson plan to us, which is much more in-depth than the attachment. I and Instructor Joe Hayes, reviewed the material and find that it meets and exceeds the training centers recertification material and I would recommend their Firearms Instructor Recertification program for 2015 – 2016.

MOTION

Sheriff Watson motion to accept the curriculum as presented effective for 2015 – 2016. Mr. McCarthy seconded the motion. **Voting in Favor**; Sheriff Koranda, Mr. McCarthy, Sheriff Watson, and Chief Larby. Not Present – Lieutenant Colonel Schwarten. The motion passed.

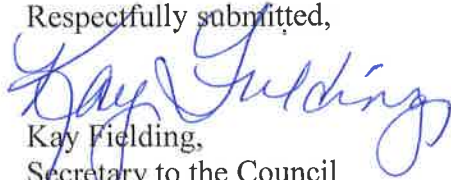
VII. OTHER BUSINESS

A. Date, Time & Location of Next Meeting

October 21, 2015, 9:00; Library, Nebraska Law Enforcement Training Center,
3600 North Academy Road, Grand Island, Nebraska 68801

Hearing no further business the meeting adjourned at 10:13 AM.

Respectfully submitted,



Kay Fielding,
Secretary to the Council